

401 KAR 5:050. General provisions of KPDES Permitting Program.

RELATES TO: KRS 224.01-010, 224.10-110, 224.16-050, 224.70-100, 224.70-110

STATUTORY AUTHORITY: KRS 224.10-100

NECESSITY, FUNCTION, AND CONFORMITY: KRS Chapter 224 authorizes the Environmental and Public Protection Cabinet to issue, continue in effect, revoke, modify, suspend or deny under such conditions as the cabinet may prescribe, permits to discharge into the waters of the Commonwealth. KRS 224.16-050 empowers the cabinet to issue federal permits pursuant to 33 USC Section 1342(b) of the Federal Water Pollution Control Act (33 USC Section 1251 et seq.). Permits issued pursuant to KRS 224.16-050 shall be referred to as KPDES permits.

Section 1. Compatibility with the CWA. The KPDES administrative regulations promulgated pursuant to KRS Chapter 224 are intended to be compatible with the federal regulations adopted pursuant to CWA.

Section 2. Conflicting Provisions. The provisions of the KPDES administrative regulations are to be construed as being compatible with and complementary to each other. If any of these administrative regulations are found by a court of competent jurisdiction to be contradictory, the more stringent provisions shall apply. (9 Ky.R. 852; Am. 1100; 10 Ky.R. 6; eff. 6-1-83; 11 Ky.R. 737; eff. 1-7-85; 12 Ky.R. 507; eff. 12-10-85; 20 Ky.R. 3228; 21 Ky.R. 362; eff. 8-24-94; TAm eff. 8-9-2007.)